

## **REMARKS**

### **Status of the Claims**

Claims 1-35 are pending in the application. Claims 1-7, which were subject to a Restriction Requirement, have been canceled without prejudice to their being re-filed in a subsequent divisional application. Claims 8-38 stand rejected. Claims 8, 25 and 38 have been amended. In view of the following remarks, applicants request re-examination and allowance of the claims.

### **Claims 8-38 are Patentable Over Taplan**

Claims 8-11 and 36-38 stand rejected under 35 U.S.C. § 102 and claims 12-35 stand rejected under 35 U.S.C. § 103 over US Patent No. 6,032,662 to Taplan ("Taplan"). This rejection is respectfully traversed because Taplan does not have the required attaching member that connects a burner box and a cooktop top such that the cooktop is movable while connected to the burner box from a closed condition to an open condition with respect to the burner box, as required by independent claims 8, 25 and 28.

In Taplan, cooktop 1 is substantially permanently fixed to the burner box by various elements including threaded fasteners 10, collar 6, brackets 11, transverse member 8, and brackets 2. Taplan does not include an attaching member that allows cooktop 1 to move, while connected to the burner box, between an open and a closed condition. Accordingly, the rejection is improper and should be withdrawn.

**Conclusion**

In view of the forgoing, applicant requests that all claims pending in the application be allowed.

Respectfully submitted,

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